Copyright and Classroom Implications

Adele Ford

EDLD 5306 Cohort #16

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Ms. Daryl Ann Borel

Copyright and Classroom Implications [www.contrib.andrew.cmu.edu/~elsaw/](http://www.contrib.andrew.cmu.edu/~elsaw/)



“For school and district administrators today, copyright should be at the front and center on the agenda. As new technologies become increasingly common and integrated into all areas of school instruction and business, an up-to-date education on what is and what is not a legal use of resources remains a crucial element of a workable 21st century literacy” (Davidson, 2005, p. S2). This quote from Davidson exemplifies the urgency of educating and informing students, teachers, staff, parents, and community on the legalities of copyright.

According to the United States Copyright Office, “Copyright is a form of protection provided by the laws of the United States (title 17, U.S. Code) to authors of original works of authorship,” including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works” (U.S. Copyright Office, 2008, Circular 1). The owner of the work has the elite right to do and authorize others to reproduce, simulate, distribute, perform, and display works to or for public viewing. Simply put, copyright protects an author’s original works.

Although it is illegal to violate these copyright laws, the violations punishable by law, have limitations. Two of these limitations are “fair use” or a “compulsory license.” These doctrines allow the non-author usage and ability to pay royalties to the authorin exchange for limited useofcopyrighted materials. Authors are protectedunder copyright the moment that their work is created.Authors and those legally speaking for the author can claim copyright. However, when working for an employer, the rules change a bit, so teachers and other employees need to be made aware of this. “When a district employee creates a copyrightable work, such as a computer program, workbook, or photograph, and the work is created within the scope of the employee’s job, the district is legally the author” (Stroder, 2006, p.36). Therefore, the district (author) owns the work and all of the rights to the work, whichis called, “works made for hire” as explained by Stoder (2006).

The increased usage of technology in the classrooms has made it necessary for teachers, students, and parents to be educated in the proper uses of works, to avoid fines, lawsuits, and other potential problems. Davidson (2005) suggests five steps to avoid Copyright problems. These steps would be conducted by an administrator and are as follows:

1. *Create and implement a technology policy that includes a code of ethics and set of procedures.*
2. *Review the entire policy with your educational community: students, teachers, and parents.*
3. *Appoint a technology manager to conduct audits and maintain a log of licenses and registration materials.*
4. *Teach ethical and legal behavior for technology use.*
5. *Thank employees and students for supporting these steps*

Specific issues related to copyright, technology, and the classroom include copying software, installing software, sharing passwords, checking out of software, video or DVD use, use of software on networks, copy machines, posting music, using images, performance of plays using music, and downloading presentations.For more detailed guidelines on those and more copyright-related issues, refer to [www.techlearning.com](http://www.techlearning.com), [www.halldavidson.net](http://www.halldavidson.net), [www.siia.net/piracy](http://www.siia.net/piracy), and [www.copyright.gov/](http://www.copyright.gov/).

“Copyright is the right to copy: that is the “legal right of ownership to the work created in books, music, plays, movies, graphics or pictures, and computer software” (Kruger, 2003, p.189). Ultimately, teachers are thosedirectly using technology and other resources for classroom instruction and learning. Therefore, it is imperative that teachers are up-to-date on copyright polices and laws. Teachers in turn have the opportunity to educate students on these issues so that they too can be informed and follow the guidelines to avoid problems. Also, everyone will know the right protocol to follow even if they choose not to. For more information on educating students about software piracy, Kruger, (2003) suggests visiting, [www.PlayItCyberSafe.com](http://www.PlayItCyberSafe.com).

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